

JUDGE KAPLAN

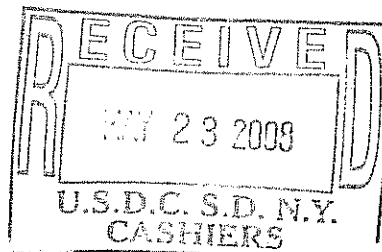
08 CV 4850

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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THOMAS WILLOUGHBY,

Plaintiff,

-against-

KOSNAC FLOATING DERRICK CORP.,

Defendant.
-----X

**PLAINTIFF DEMANDS
A TRIAL BY JURY**

COMPLAINT

**SEAMAN'S CASE UNDER
THE JONES ACT FOR
PERSONAL INJURIES**

**SUITS UNDER SPECIAL RULE FOR SEAMEN TO
SUE WITHOUT SECURITY OR PREPAYMENT OF
FEES FOR THE ENFORCEMENT OF THE LAWS
OF THE UNITED STATES, COMMON AND STAT-
UTORY FOR THE PROTECTION OF AND FOR
THE HEALTH AND SAFETY OF SEAMEN AT SEA**

Plaintiff THOMAS WILLOUGHBY, by his attorneys FRIEDMAN, JAMES & BUCHSBAUM LLP, complaining of the defendant KOSNAC FLOATING DERRICK CORP., respectfully alleges upon information and belief as follows:

FIRST COUNT

1. At all times hereinafter mentioned, defendant KOSNAC FLOATING DERRICK CORP. was and still is a corporation, or other business

organization, organized and existing under and by virtue of the laws of one of the States of the United States of America, and doing business within this district.

2. At all times and dates hereinafter mentioned, defendant KOSNAC FLOATING DERRICK CORP. was the owner of the Tug JUNE K.

3. At all times and dates hereinafter mentioned, defendant KOSNAC FLOATING DERRICK CORP. operated the Tug JUNE K.

4. At all times and dates hereinafter mentioned, defendant KOSNAC FLOATING DERRICK CORP. managed the Tug JUNE K.

5. At all times and dates hereinafter mentioned, defendant KOSNAC FLOATING DERRICK CORP. controlled the Tug JUNE K.

6. At all times and dates hereinafter mentioned, the plaintiff was a member of the crew of the Tug JUNE K and an employee of defendant KOSNAC FLOATING DERRICK CORP.

7. On or about November 2, 2007, without any fault on the part of the plaintiff, and wholly and solely by reason of the negligence, carelessness and recklessness and of the defendant KOSNAC FLOATING DERRICK CORP., its agents, servants and/or employees, and by reason of the unseaworthiness of the Tug JUNE K, plaintiff was caused to sustain injuries.

8. As a result of the foregoing, the plaintiff was rendered sick, sore, lame and disabled and sustained severe permanent personal injuries, was and is internally and externally disabled causing him to suffer pain, and for a time he was prevented from attending to his daily labors, thereby losing sums of money which he otherwise would have earned as wages, and has endeavored to be cured of his

injuries, and has expended sums of money to maintain himself, and will continue to endure pain and suffering, all to his damage.

9. By reason of the foregoing, plaintiff has been damaged in the sum of ONE MILLION (\$1,000,000.00) DOLLARS.

SECOND COUNT

10. Plaintiff repeats and realleges each and every allegation of the First Count in this Complaint as if fully set forth at length herein.

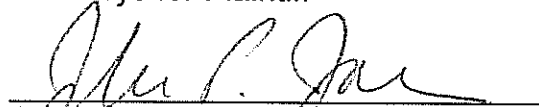
11. Plaintiff is entitled to maintenance, cure, and medical expenses for the period that he was disabled and unable to work in the total sum of ONE HUNDRED FIFTY THOUSAND (\$150,000.00) DOLLARS.

WHEREFORE, plaintiff THOMAS WILLOUGHBY demands judgment against defendant KOSNAC FLOATING DERRICK CORP. in the First Count in the sum of ONE MILLION (\$1,000,000.00) DOLLARS; and in the Second Count in the sum of ONE HUNDRED FIFTY THOUSAND (\$150,000.00) DOLLARS; together with interest and costs.

Dated: New York, New York
May 23, 2008

FRIEDMAN, JAMES & BUCHSBAUM LLP
Attorneys for Plaintiff

By:



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